

STROOCK

By CM/ECF

September 13, 2013

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The Honorable Katherine B. Forrest
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 730
New York, NY 10007-1581

Re: In re: 650 Fifth Avenue and Related Properties
08 CIV. 10934 (KBF) and All Member and Related Cases

Dear Judge Forrest:

We represent the Greenbaum, Acosta, Beer and Kirschenbaum judgment creditors. As we prepare for the trial that may start on September 30, and based on our further conversations with the Government, we may be able to submit some witnesses' direct testimony to the Court in the form of a declaration. We are in the process of confirming which witnesses this procedure may apply to. We write to confirm that such a procedure would be acceptable to the Court, with the witness then being presented in Court for cross and re-direct examination.

Respectfully submitted,

Handwritten signature of James L. Bernard in cursive script.

James L. Bernard

cc: Counsel of Record